

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr.

A **SPECIAL MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, January 6, 2003, in the Assembly Room of the Berkeley County Office building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:07 p.m.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman of County Council; Mrs. Judith K. Spooner, Council Member District No. 2 and Vice Chairman of County Council; Mr. Milton Farley, Council Member District No. 1; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspaper, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order. Vice Chairman Spooner gave the invocation. Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

PUBLIC DISCUSSION:

Mr. Rozier stated he would like to make public comment as a citizen of Berkeley County and rendered his gavel to Vice-Chairman Spooner. Mr. Rozier read the following into the record.

I have just finished 12 years of service as Berkeley County Supervisor. I was disappointed to read in The Post & Courier yesterday that a foolish notion which surfaced during my recent political campaign still exist, in some people's minds, today. The notion I refer to is that there has been a consistent 4 - 4 split on Council and that 4 council members have consistently rubber stamped my position.

This is simply not true. If it were true, we would have had numerous tie votes and I would have had many opportunities to vote (I only get to vote in case of a tie). During the past twelve years, Council has voted well over 1,000 time and we have had less than one dozen tie votes. I always vote if there is a tie and I have voted less than 12 times. Where is the split council and when has a rubber stamp even been necessary?

Let's get past the politics and get down to the business of serving the citizens of our great county. When I was elected County Supervisor, I was elected to be a leader. In exercising the leadership expected of me, I certainly do try to convince council to adopt my position, just as certainly this has not always happened. Every member on council today and every past member has on many occasions voted opposite of what I supported and many times everyone has voted in favor of what I supported. I think it is healthy when we have active debate and vote our conscience.

We have had 12 very good years. This has been the result of the hard work of an excellent team, for the most part, working together. This team includes County Council, the employees of Berkeley County, the citizens of our county, and me.

Some of our accomplishments are:

- *We have had eleven years with no increase in property tax millage,*
 - *Three of these eleven years we actually reduced millage,*
- *We have had over five billion dollars of good clean industrial investment,*
- *With this investment, we have created more than 12,000 direct jobs and over 26,000 total jobs, We have the third lowest unemployment of the 46 counties in South Carolina,*
- *With this investment, we have increased the annual revenue for our county and our schools by almost nine million dollars per year (this is why we have been able to improve our services while lowering our millage rate)*
- *The median family income in Berkeley County has increased by approximately 40%,*
- *The average county employee's income has increased by more than 50%*
- *We have grown from 2 industrial parks to 19 allowing us to cluster job and revenue creating industry,*
- *We have worked closely with our Soil & Water Conservation District and The Lord Berkeley Trust to become the leader in our state preserving greenspace for future generations,*
- *We have built almost 500 miles of sewer lines and almost 300 miles of water lines. Water lines now serve or are under construction to serve all county schools except Cross and we are working on funding for Cross,*
- *We have gone from 4 EMS stations to 10, reducing our response time from over 25 minutes average to less than 8 minutes average,*
- *We have gone from no unincorporated county 911 service to enhanced 911 countywide,*
- *We have improved many miles of roads with much more under construction,*
- *We have funded and built an emergency services training center,*
- *We have been very conservative in our spending. However, without raising taxes, we have more than kept the pace funding our emergency and critical services. The following services have had their budget increased by these ratios (1991 budget compared to 2003):*
 - *Sheriff's Department and Detention center 2.9 times,*
 - *Emergency Medical Services (EMS) 2.9 times,*
 - *Communications (Emergency Dispatch) 2.6 times,*

- Roads & Bridges 2.3 times,
- Libraries 2.8 times,
- Magistrate System 2.1 times,
- We received the ownership of Cypress Gardens from the City of Charleston and turned it into an exciting education facility and tourist destination. The building project at the Gardens was fully funded by contributions from industry,
- We have built a new state of the art landfill as mandated and acquired land for over 100 years of space availability,
- We have replaced all of the unsanitary greenbox garbage containers, with 10 staffed, fenced, and landscaped recycling convenience centers,
- In partnership with Goose Creek, Moncks Corner, Summerville, and Santee Cooper we have built and operate the Lake Moultrie Water

Agency giving us access to excellent surface water from the most productive watershed east of The Mississippi River,

- We have implemented zoning countywide,
- We have built a new state of the art detention center,
- We have built a new animal control center and entered into a contract with The Doc Williams SPCA for management,
- We have moved into new library facilities in Goose Creek, St. Stephen, and a better facility in Hanahan,
- We have implemented the most advanced GIS system in South Carolina.

There are so many more achievements that I could list here but in the interest of time let me stop and try to make my point. None of these accomplishments were the result of a tie vote. I could list many more fine achievements of our team that were not the result of tie votes.

We have not always had unanimous votes and this is OK. In fact this is very healthy. There is nothing wrong with an occasional tie vote, provided we are really voting our conscience. The problem comes in if any member votes just to be anti-somebody. According to the story in The Post & Courier, if accurate, we have some of our members doing just this and this is truly unfortunate.

I believe our citizens deserve better and they will continue to get my and I am sure most Council Members true conviction vote rather than anti-anybody just to show that somebody.

Tonight we will reorganize County Council. I am really not a part of this, although I certainly will vote in case of a tie. Please, always vote your conscience and if your conscience tells you to always be anti-Rozier, vote that way. But let us understand there is no rubber stamp and never has been; to suggest otherwise is an insult, not to me, but to some very fine County Council Members who represent their constituents very well.

We have had 12 very successful years. If we can get past the politics of the last election and really all vote our convictions, I believe we can have 4 more.

God bless Berkeley County and God bless our Country,

*Jim Rozier, Berkeley County Supervisor
223 North Live Oak Dr.
Moncks Corner, SC 29461*

There was no **Executive Session**.

Review of the Organization and Rules of Berkeley County Council.

It was moved by Vice Chairman Spooner and seconded by Councilmember Crosby to make the following changes on the Rules:

1. Every time that the Clerk to Council is shown in the wording, that it be changed to Clerk of Council.

1. Pg. 9, F – suggest that after the Vice-Chairman and Finance Chairman are seated on either side of the Chairman, the other members of Council should choose their seats based on seniority beginning with the longest serving Councilmember and ending with the newest elected Councilmember.

The motion was passed by unanimous voice vote of Council.

Vice Chairman Spooner suggested the following change on the Rules page 18, Section 5 and move section 6 down, ‘any member who registers for conferences related to County Council business and request payment for registration, lodging and per diem but fails to attend must reimburse the County for said funds.’ The County Attorney suggested that this could be better handled by resolution at another meeting.

It was moved by Councilmember Steve Davis and seconded by Councilmember Pinckney to change page 16, section IV, that after two years serving as Chairman of a Standing Committee of County Council they not be allowed to Chair that Committee for the next two years.

Councilmember Steve Davis stated that his suggestion was due to the changing Council. It would give each member an opportunity to get to understand of all aspects of County operations.

Mr. D. Mark Stokes County Attorney stated it would be fruitless to do that because every two years this could be amended and taken out of the rules.

Vice Chairman Spooner explained that she had a problem with the motion because every member of Council serves on every Committee. It was not always that way, in years past many Councilmembers were bystanders while other members discussed and handled

things in Committee. This has since changed; therefore, everyone has access to full discussion at every Committee. "Sometimes we find our niche and feel comfortable with a particular Committee. Since I find out about everything that happens on everybody's Committee I don't have a problem with it."

Mr. Pinckney stated that as it stands you are not in touch with the Department Directors and Elected officials to get first hand information. Being able to be in touch with the various departments you are more knowledgeable of what goes on in the County and have first hand knowledge that other members don't have. "Two years ago when I came on Council we were just told 'you have this or that Committee', I am grateful this year it was a little bit different, but it is not as Democratic as it needs to be, and I have some concerns with that."

Councilmember Steve Davis, "it is great that Chairmen are able to use their expertise or "Niche" in a particular Committee, but it locks out other members from learning about all aspects of Berkeley County Government and how it affects the citizens."

Councilmember Mims moved to amend the motion to state every two years if a Chairman did not wish to serve as Chairman of a Committee any longer that it be brought before the organization for consideration.

Vice Chairman Spooner explained the wording would need to stay the same with this amendment.

Councilmember Mims explained that after serving six years on the Water & Sanitation Committee as Chairman she was ready to switch. Therefore, she and Mr. Henry Richardson agreed to switch.

Councilmember Pinckney stated the main motion would fix that situation.

Chairman Rozier indicated the amendment changes the motion. Therefore, the motion is not a valid motion if you amend it. The main motion states that you will switch every two years and the amendment states you get the choice to switch.

Chairman Rozier asked if Councilmember Mims was making a motion to amend the main motion?

Councilmember Mims "No."

Chairman Rozier called for a Roll Call vote:

Councilmember Farley	"Nay"
Councilmember Spooner	"Nay"
Councilmember Crosby	"Nay"
Councilmember C. Davis	"Aye"

Councilmember Fish	“Nay”
Councilmember Mims	“Nay”
Councilmember Pinckney	“Aye”
Councilmember S. Davis	“Aye”

The motion **failed** with a vote of five (5) “Nays” and three (3) “Ayes.”

ELECTION of Vice-Chairman of County Council.

It was moved by Vice Chairman Spooner and seconded by Councilmember Farley to nominate **Councilmember William E. Crosby for Vice Chairman of County Council.** The motion passed by unanimous voice vote of Council.

ELECTION of Chairman of Standing Committees of County Council.

It was moved by Vice Chairman Spooner and seconded by Councilmember Charles Davis to nominate Chairman of **Justice and Public Safety**, Judy C. Mims; **Community Services**, Judith Spooner; **Human Services**, William E. Crosby; **Water & Sanitation**, Steve C. Davis; **Planning & Development**, Charles E. Davis; **Land Use**, Milton Farley; **Public Works & Purchasing**, Caldwell Pinckney Jr.; **Finance**, Dennis L. Fish. The motion passed by unanimous voice vote of Council.

ELECTION of Representatives from Council on Berkeley-Charleston-Dorchester Council of Government.

It was moved by Councilmember Farley and seconded by Councilmember Crosby to nominate **Councilmember Judith K. Spooner to BCD Council of Governments.** The motion passed by unanimous voice vote of Council.

ELECTION of Representative from Council on the Charleston Area Transportation Study (CHATS) Policy Committee.

It was moved by Vice Chairman Spooner and seconded by Councilmember Fish to nominate **Councilmember William E. Crosby to CHATS Policy Committee.** The motion passed by unanimous voice vote of the Committee.

Vice Chairman Spooner encouraged Council to choose a Vice Chairman for their Committee. This is by choice of the Chairman and this not a mandatory requirement.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to adjourn the Special meeting of County Council. The motion passed by unanimous voice vote of the Committee.

PUBLIC DISCUSSION:

Ken White, 9 Lombardi Lane, Hanahan stated he had concerns with consolidating the Magistrates in Berkeley County. "We in Hanahan don't think it is a wise decision to consolidate everything and move it to Moncks Corner. We don't want a secretary's office in Hanahan. We want a Magistrates office." He asked that Council keep this in mind when they are deciding on the outcome of the Magistrates Office.

Mitchell Dennis III, 801 Mountain Pine Road, Conifer Hall, Moncks Corner, asked that there be more Police Patrol in the Conifer Hall Subdivision. There is a lot of speeding on the roads in the area and a large amount of loitering in the streets.

Chairman Rozier stated he would take that comment to the Sheriff.

S/Barbara B. Austin
Clerk of County Council

February 24, 2003
Date Approved

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

A **SPECIAL MEETING** of **BERKELEY COUNTY COUNCIL** will be held on Monday, **January 6, 2003**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at 6:00 P. M.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**
- 4. PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.
- 5. EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim
- 6. REVIEW** of the Organization and Rules of Berkeley County Council.
- 7. ELECTION** of Vice-Chairman of County Council
- 8. ELECTION** of Chairmen of Standing Committees of County Council.
- 9. ELECTION** of Members of Standing Committees of County Council

10 ELECTION of Representative from Council on Berkeley-Charleston-Dorchester Council of Government.

11. ELECTION of Representative from Council on the Charleston Area Transportation Study (CHATS) Policy Committee.

12. PUBLIC DISCUSSION

13. ADJOURNMENT

December 31, 2002
S/Barbara B. Austin
Clerk of County Council